

## MINISTERIAL REGULATION

PRESCRIBING ADDITIONAL SPECIAL CASES UNDER THE LAW ON SPECIAL CASES,

B.E. 2566 (2023)

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By virtue of the provisions of Section 4 paragraph one of the Special Case Investigation Act, B.E. 2547 (2004) and Section 21 (1) of the Special Case Investigation Act, B.E. 2547 (2004) amended by the Special Case Investigation Act (No. 2), B.E. 2551 (2008), the Minister of Justice hereby issues the following Ministerial Regulation:

Clause 1 This Ministerial Regulation shall repeal:

- (1) Ministerial Regulation Prescribing Additional Special Cases under the Law on Special Cases, B.E. 2547 (2004)
- (2) Ministerial Regulation Prescribing Additional Special Cases under the Law on Special Cases (No. 2), B.E. 2555 (2012)
- (3) Ministerial Regulation Prescribing Additional Special Cases under the Law on Special Cases (No. 3), B.E. 2559 (2016)

Clause 2 The criminal offenses established in accordance with the following laws, with any one of the natures prescribed in Section 21 (1), shall be special cases in addition to the Annex attached to the Special Case Investigation Act, B.E. 2547 (2004):

- (1) Offenses established in accordance with the Land Code
- (2) Offenses established in accordance with the Narcotics Code
- (3) Offenses related to child pornography established in accordance with the Penal Code
- (4) Offenses established in accordance with the Revenue Code
- (5) Offenses established in accordance with the law on computer-related crime
- (6) Offenses established in accordance with the law on foreign business
- (7) Offenses established in accordance with the law on countering trafficking in persons
- (8) Offenses established in accordance with the law on wildlife reservation and protection

- (9) Offenses established in accordance with the law on usury prohibition
- (10) Offenses established in accordance with the law on cosmetics
- (11) Offenses established in accordance with the law on financial institution business
- (12) Offenses established in accordance with the law on forests
- (13) Offenses established in accordance with the law on national reserved forests
- (14) Offenses established in accordance with the law on excise tax
- (15) Offenses established in accordance with the law on drugs
- (16) Offenses established in accordance with the law on minerals
- (17) Offenses established in accordance with the law on hazardous substances
- (18) Offenses established in accordance with the law on customs
- (19) Offenses established in accordance with the law on food
- (20) Offenses established in accordance with the law on national parks

This shall apply only to criminal offenses with characteristics consistent with the nature of offenses specified by the Board of Special Case.

Clause 3 Where the Board of Special Case's Notification (No. 8) B.E. 2565 (2022) Prescribing the Nature of Crime Regarded as Special Case under Section 21 Paragraph One (1) of the Special Case Investigation Act, B.E. 2547 (2004), which has been in effect before the entry into force of this Ministerial Regulation, mentions the Ministerial Regulation Prescribing Additional Special Cases under the Law on Special Cases, B.E. 2547 (2004) and its amendments, they shall refer to this Ministerial Regulation.

Given on this 3<sup>rd</sup> Day of January B.E. 2566 (2023)

Somsak Thepsuthin

Minister of Justice

Note :- The reason for the promulgation of this Ministerial Regulation is that the Ministerial Regulation Prescribing Additional Special Cases under the Law on Special Cases, B.E. 2547 (2004) and its amendments prescribed that the criminal offenses established in accordance with the law on liquor and the law on tobacco were special cases in addition to the Annex attached to the Special Case Investigation Act, B.E. 2547 (2004). However, both laws were revoked by the Excise Act, B.E. 2560 (2017). In addition, there is a rising trend in the commission of offenses related to child pornography, usury and narcotics. Such criminal offenses have or may have a serious impact on peace and order, public morale, national security, international relations, or national economy or finance; or have the nature of serious transnational crime or organized crime; or involve influential figures as principals, instigators or supporters; or involve senior administrative or police officers who are not special case officials or special case officers as suspects when there is sufficient evidence which may implicate such persons in a criminal offense, or as the accused or alleged offenders. It is therefore expedient to promulgate this Ministerial Regulation to revise the prescription of special cases in addition to the Annex attached to the Special Case Investigation Act, B.E. 2547 (2004).